

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT JACKSON, et al.,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

Case No. 21-cv-04677-HSG

**ORDER TO SHOW CAUSE**

On April 21, 2021, Plaintiffs Robert Jackson and Queen Jackson filed a complaint against Defendants Wells Fargo Bank, N.A. and U.S. Bank in Contra Costa Superior Court. Dkt. No. 1. On June 17, 2021, Wells Fargo removed the case to federal court. *Id.* Both Defendants filed motions to dismiss, and the deadline to file any opposition has since passed. On August 27, 2021, the Court granted Plaintiffs' counsel motion to withdraw due to Plaintiffs' decision to terminate him as counsel and their consistent failure to communicate. If Plaintiffs are unable to obtain counsel, they may appear pro se, but must provide the Court with their contact information so that they may be served as individuals going forward. Because Plaintiffs did not appear at the hearing for the motion to withdraw and have failed to communicate with their counsel, it is unclear if Plaintiffs wish to proceed with this action.


Federal Rule of Civil Procedure 41(b) provides that where a "plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." A defendant need not file a motion in order for a district court to dismiss a case under Rule 41(b), given the Supreme Court's statement that "[t]he authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs[.]"

1 *See Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962).

2 Accordingly, Plaintiffs are **ORDERED TO SHOW CAUSE** why this case should not be  
3 dismissed without prejudice for failure to prosecute. Plaintiffs shall file a statement of no more  
4 than two pages by September 15, 2021. If Plaintiffs are unable to obtain counsel, they may appear  
5 pro se.

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7 **IT IS SO ORDERED.**

8 Dated: 8/27/2021

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10 HAYWOOD S. GILLIAM, JR.  
11 United States District Judge  
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